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THREE HUNDRED AND THIRTY-SIXTH MEETING (Resumption 3)

Held at Headquarters, New York,
on Tuesday, 15 February 1994, at 3.30 p.m.

President:	Mr. OLHAYE	(Djibouti)
Members:	Argentina	Mr. CARDENAS
	Brazil	Mr. SARDENBERG
	China	Mr. HE Yafei
	Czech Republic	Mr. KOVANDA
	France	Mr. MERIMEE
	New Zealand	Mr. KEATING
	Nigeria	Mr. GAMBARI
	Oman	Mr. AL-KHUSSAIBY
	Pakistan	Mr. SHAUKAT
	Russian Federation	Mr. LOZINSKIY
	Rwanda	Mr. BIZIMANA
	Spain	Mr. PEDAUYE
	United Kingdom of Great Britain and Northern Ireland	Mr. WOOD
	United States of America	Mr. ROSENSTOCK

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The meeting was resumed at 4 p.m.

The PRESIDENT: I should like to inform the Council that I have received a letter from the representative of Lithuania, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Simutis (Lithuania) took the place reserved for him at the side of the Council Chamber.

The PRESIDENT: I should like to inform the Council that I have received a letter dated 14 February 1994 from the Acting Permanent Representative of Pakistan to the United Nations, which reads as follows:

> "On behalf of the members of the Organization of the Islamic Conference Contact Group on Bosnia and Herzegovina, I have the honour to request that the Security Council extend an invitation to His Excellency Mr. Ahmet Engin Ansay, Ambassador, Permanent Observer of the Organization of the Islamic Conference to the United Nations, to address the Council under rule 39 of its provisional rules of procedure in the course of the Council's consideration of the item 'The situation in the Republic of Bosnia and Herzegovina'.

That letter will be published as a document of the Security Council under the symbol S/1994/174.

(The President)

If I hear no objection, I shall take it that the Council agrees to extend an invitation under rule 39 to His Excellency Mr. Ansay.

There being no objection, it is so decided.

The Security Council will now continue its consideration of the item on its agenda.

The next speaker is the representative of Morocco. I invite him to take a place at the Council table and to make his statement.

Mr. SNOUSSI (Morocco) (interpretation from French): It is a privilege for me, Sir, to convey to you today my sincere congratulations on your assumption of the presidency of the Council for February. The wisdom and perspicacity of your country and its President are and will continue to be the best gages of your success.

I should also like to commend the Ambassador of the Czech Republic on the very effective way in which he guided the work of the Council last month.

After 22 months of a terrible war in which the Bosnian Serbs, overtly assisted by the Serbs in Belgrade, have deployed before our very eyes the full arsenal of horrors and atrocities against a country that is a member of our international community, we are meeting here today to deplore the latest atrocity and the latest horror in a long, long list, having already denounced and condemned the crimes, the rapes, the "ethnic cleansing" and the destruction of mosques and other places of worship. Thanks to television, we have all seen the scores of mutilated corpses and the panic-stricken populace, unable to believe their eyes when they see just how far hate and intolerance can drive men whom nothing has been able to stop.

(Mr. Snoussi, Morocco)

The Council, of which we have had the honour of being a member, in two years has issued over 40 resolutions and 50-odd statements. Not one of these resolutions and not one of these statements has been observed by the Bosnian Serbs and, by an irony of fate, only the one that imposed the embargo on the Bosnian Muslims has been scrupulously observed, thus depriving that people of its fundamental right to defend itself on an equal footing, in terms of weaponry, against an invader that has at its disposal the most sophisticated weapons and the most deadly engines of war.

Nevertheless, the international community will once again witness the good will of Bosnia and Herzegovina, which has agreed to withdraw its heavy weapons even though resolutions 824 (1993) and 836 (1993) impose no obligation on it to do so.

Meanwhile, several conferences have been held and, given that they have not achieved an end to the occupation, to the war, or to the barbarity, they have taken turns at chipping away a little further at Bosnia, at the Bosnian territory recognized by our international community. Each time, we hoped that Serb expansionist pretensions were about to stop, but, each time, while the Bosnian people, now a people of refugees, sought the shelter of the road in the countryside and in neighbouring countries, their country, melting away like ice in a fire, grew smaller every day. And since then, absolutely nothing for Bosnia and Herzegovina.

But now, suddenly, today there is a glimmer of hope. The international community, in a praiseworthy U-turn, has realized that, in the face of so much contempt, so much recklessness and arrogance, only fear can give pause for thought. And NATO's warning has, for the first time, slowed the hellish pace of the Serb onslaught. But this ultimatum, and even air strikes - if air

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strikes there are - will not bring back to life the hundreds of thousands of dead Bosnians who wanted only to live in peace.

This glimmer of hope is that what is left of the Bosnian people will from now on be better protected. But that protection still needs to be extended to all the stricken towns, as there is nothing to show that, once Sarajevo is out of range, the Bosnian Serbs will not attack the other towns, even if they are symbolically protected by our resolutions. And the disarmament still needs to become real disarmament, the aggressor still has to be punished, the perpetrators of these new crimes still need to be brought to justice and sentenced. And we still have to ensure that our principles, our Charter, our laws and our ethics are no longer flouted.

This supposes, of course, greater vigilance and more responsibility on our part. It supposes that the determination we have expressed in respect of Sarajevo covers all the "safe areas" we have created. It supposes that the flow of humanitarian assistance also becomes a condition in the ultimatum that has been issued. And it supposes that Serbia's diplomatic and economic isolation becomes effective and total. The United Nations has had proof that this has been effective elsewhere, but let us not wait for a miracle that will not happen.

On this holy day in the month of Ramadan, when Muslims join in pious devotion, we would pray, along with all believers in the world, for an end to lamenting about the stricken people of Bosnia and for a beginning - at last - to protection for them against the genocide that is being committed every day, against extermination and against a country that wants to make us relive the horrors

(Mr. Snoussi, Morocco)

which our world experienced in 1939 and which it wanted to forget at all costs.

The PRESIDENT: I thank the representative of Morocco for his kind words addressed to me.

The next speaker is the representative of Bangladesh. I invite him to take a place at the Council table and to make his statement.

Mr. RAHMAN (Bangladesh): Mr. President, let me at the outset express our commendation on the successful way in which you have conducted the affairs of the Council for this month. My delegation also joins its voice to the tributes paid to your predecessor, His Excellency Mr. Karel Kovanda, for his important contribution in steering the work of the Council in January.

(Mr. Rahman, Bangladesh)

The Council is meeting once again under the impetus of an unprovoked massacre in Bosnia and Herzegovina. The indiscriminate shelling of the Dobrinja area and of the Sarajevo market on 4 and 5 February 1994 has shocked a world benumbed by a continuous series of murderous atrocities. Bangladesh can only voice its helpless sympathy to the Government and the people of the Republic of Bosnia and Herzegovina over this latest heinous tragedy.

One clear message emanates from this Council debate: an unambiguous call for action within the stipulated deadline to ensure the implementation of the ultimatum issued by the North Atlantic Treaty Organization (NATO) on 9 February 1994 and of Security Council resolutions 824 (1993) and 836 (1993).

Intent must be translated into realities on the ground, since one truth is now palpably evident: the cynical pattern of opportunism followed by the Serbs. They have extracted every advantage at the expense of a credulous and dilatory international community bent on the pursuit of a negotiated peace at any cost. If negotiations are indeed to be pursued in good faith, military balances must be preserved by determined action, not a mere commitment to act. The elasticity of that intent has been tested and fine tuned into an art by the Serbs, to their continual advantage.

We welcome the Bosnian Government's agreement to withdraw its weapons voluntarily and to place them under United Nations control. The Serbs must be made to follow suit. Security Council resolution 836 (1993) provides a clear legal framework for using all necessary means, including air strikes against Serb positions, especially around Sarajevo. We welcome the forward steps initiated by the Secretary-General in his letter to the Secretary-General of NATO,

(Mr. Rahman, Bangladesh)

as summarized in his letter of 11 February addressed to the President of the Security Council, to coordinate procedures for the initiation and conduct of specific air strikes and to delegate authority to his Special Representative with respect to air support for the defence of United Nations personnel anywhere in the Republic. That cover must extend to all other "safe areas" to prevent Serb diversionary tactics.

A clear pattern of consensus has emerged on immediate actions that must be implemented. Those actions are: an effective cease-fire and a complete cessation of hostilities throughout Bosnia and Herzegovina; the lifting of the siege of Sarajevo and of other "safe areas" and besieged towns; the withdrawal of heavy weapons and their regroupment under the control of the United Nations Protection Force (UNPROFOR); the facilitation of the unhindered flow of humanitarian assistance, including through vital access points such as Tuzla airport; and the provision of security to protect UNPROFOR forces.

The determined pursuit and implementation of those immediate goals is an essential precursor of the ultimate objective of negotiating a just and sustainable peace acceptable to all parties, within the parameters laid down by United Nations resolutions and the immutable objectives of the United Nations Charter. Bangladesh fully supports the triumph of the logic of peace over that of war, but peace must be justly and uniformly ensured, if necessary by the use of force. To that end, Bangladesh's position fully conforms with the declaration of the Organization of the Islamic Conference Contact Group on Bosnia and Herzegovina, adopted at Geneva on 17 January 1994.

The PRESIDENT: I thank the representative of Bangladesh for the kind words he addressed to me.

The next speaker is the representative of the United Arab Emirates. I invite him to take a place at the Council table and to make his statement.

Mr. SAMHAN (United Arab Emirates) (interpretation from Arabic): I take pleasure, Sir, in congratulating you on behalf of the State of the United Arab Emirates upon your assumption of the presidency of the Council for this month. We have complete confidence that your abilities and diplomatic experience will contribute to the success of the work of the Council.

It gives me pleasure also to pay a tribute to your predecessor, the Permanent Representative of the Czech Republic, for the effective and able way in which he guided the Council's work last month.

The Security Council is meeting yet again to consider the tragic situation in Bosnia and Herzegovina. The Council has repeatedly discussed the situation in that Republic, and has adopted many resolutions and presidential statements. Previous speakers have analysed the situation and demonstrated its danger to regional and international peace and security, especially since the horrific massacre of Bosnian civilians in Sarajevo on 5 February 1994 by Serb shells. That caused the martyrdom of more than 60 people and injuries to more than 200.

That massacre was not the first. It is but the latest in a long series of heinous crimes, including "ethnic cleansing", rape and the destruction of historical, cultural and religious monuments. We all feel ashamed in the face of such crimes: ashamed to see a State Member of the United Nations having been subjected for nearly two years to blatant Serb aggression. And as

(Mr. Samhan, United Arab Emirates)

the international community is renewing its respect for human rights, we see human rights violated, systematically and with impunity, because of the international community's lack of the necessary political will to repel the aggression.

We have been attentively following the Geneva talks that recently began again, under fresh circumstances - following the barbaric massacre in Sarajevo and the recent NATO decision to permit air strikes against Serb positions and heavy weapons if the Serbs refuse to withdraw those weapons from the Sarajevo area. While we believe that the NATO decision is a step in the right direction, we do not consider it sufficient, as it makes no reference to the other "safe areas" mentioned in Security Council resolution 824 (1993), which continue to be blockaded by the Serbs.

Hence, there is a need for a stronger position and for rapid intervention on the basis of resolution 836 (1993) to put an end to "ethnic cleansing", aggression and occupation. The international community is very well acquainted with the procrastination and the manoeuvres of the Serbs in the current negotiating process, aimed at gaining time and at eventually imposing a fait accompli.

(Mr. Samhan, United Arab Emirates)

International diplomacy has thus far failed to find solutions to the dispute based on international law - solutions that would guarantee respect for the sovereignty and territorial integrity of Bosnia and Herzegovina and send a signal that the aggression and occupation of another's territory by force will not be recognized. In addition, the imbalance of military force in favour of the Serbs and the pressures being exerted on the Bosnian Muslims - who represent the majority of the population of Bosnia and Herzegovina - to force them to accept a series of concessions lead to the conclusion that the Geneva negotiations are not in favour of legality in Bosnia.

In view of all this, there are essential questions that must be clarified with respect to the Geneva negotiations.

It must be clear that the call for recognition of a status quo that has resulted from the use of force and occupation is contrary to all legal principles and international law and would only prolong the conflict. What is worse, the Republic of Bosnia and Herzegovina, a Member State of the United Nations, might be in danger of being partitioned. Should the international community approve this, it would give legitimacy to the acquisition of territory by force and through occupation. This blatantly contradicts many of the resolutions adopted by this Council, in which the sovereignty and political independence of Bosnia and Herzegovina have been affirmed.

These measures jeopardize the basic principles of international conduct, which is why the international community and its mechanism for collective security, the Security Council, should intervene with collective measures based on the United Nations Charter and international law.

(Mr. Samhan, United Arab Emirates)

Both the Government and the people of the United Arab Emirates at all levels have expressed their profound sadness at the suffering of the people of Bosnia and Herzegovina - especially the Muslims - as a result of the Serb and Croat aggression. We have repeatedly condemned the barbaric and unethical actions of the aggressors, especially the heinous crime committed recently in Sarajevo. From the very outset, we have advocated the taking of the measures necessary to put an end to this aggression and these crimes against humanity. We believe that disputes should be resolved through dialogue and peaceful negotiations on the basis of the letter and spirit of the United Nations Charter and international law, and with respect for the sovereignty and territorial integrity of States. Respect by everyone for these objectives and principles would enhance regional and international peace and security.

Under these dangerous and very uncertain conditions we are more convinced than ever that there is no legal or political argument whatsoever that can warrant the continuation of the arms embargo against Bosnia and Herzegovina. In this respect we, together with most of the countries of this international organization, fully support the right of Bosnia and Herzegovina to self-defence in accordance with Article 51 of the Charter. This right is based on international law. It is not fair or just for the political and military balance to favour aggression during the negotiating process. That is why lifting the arms embargo could truly support the political negotiations.

We also call for the lifting of the blockade against various villages and cities, and for support for international efforts to ensure that humanitarian convoys are not interfered with. At the

(Mr. Samhan, United Arab Emirates)

same time, we consider it extremely important that those responsible for crimes of rape, aggression and "ethnic cleansing" and for the blatant violations of human rights committed in the territory of the former Yugoslavia since 1991 be brought to justice. These acts represent a clear violation of the rules and norms of international humanitarian law and international legality. It is imperative that the Security Council send a clear signal to the Serb leaders that they must abandon their expansionist ambitions and "ethnic cleansing" and work toward implementing the Security Council resolutions, based on Chapter VII of the Charter. They must seek comprehensive and peaceful solutions based on international law, in the interest of peace and security in the area.

The PRESIDENT: I thank the representative of the United Arab Emirates for his kind words addressed to me.

The next speaker is the representative of Greece. I invite him to take a place at the Council table and to make his statement.

Mr. EXARCHOS (Greece): Allow me at the outset, Mr. President, to congratulate you on the exemplary manner in which you are conducting the work of the Security Council. The same congratulations should be addressed to His Excellency the Permanent Representative of the Czech Republic, Ambassador Kovanda, for the very professional way in which he carried out his task during the month of January.

The tragic incident in Sarajevo's central market-place highlighted in particular the need to bring about an immediate lifting of the siege of the city and to settle the conflict in Bosnia and Herzegovina at the negotiating table rather than on the battlefield. Last Monday in Brussels my Foreign Minister, along

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with his European Union counterparts, expressed revulsion at the recently renewed brutal shelling of civilians in Sarajevo, which resulted in a high number of civilian casualties, an aggravation of the already severe humanitarian situation and a serious disruption of essential services.

My country has spared no effort to assist the peace process for the former Yugoslavia. We believe that the European Union Action Plan, the basic principles of which have been accepted by the parties concerned, is still valid and, in our view, constitutes the only hope for peace. We have repeatedly called on the parties to show the necessary flexibility and we have addressed specific requests to each one of them.

Greece will continue to do its utmost to facilitate the conclusion of an agreement to restore peace to the region. Peace is now imperative in order to spare the region from further bloodshed and suffering. We fully support the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia both in the discharge of their overall mandate and in their efforts to place the administration of Sarajevo under the authority of the United Nations. We call upon all States to join us in our endeavours. We call once more upon the parties to put an end to the widespread hostilities, to negotiate in good faith and to show the political will necessary to reach a breakthrough.

(Mr. Exarchos, Greece)

The unimpeded flow of humanitarian aid to those in need throughout the former Yugoslavia is of primary concern to us, and we are making enormous and unrelenting efforts to help the civilian population overcome the present situation. We consider the role of the United Nations Protection Force (UNPROFOR) invaluable. We commend the bravery of the personnel of UNPROFOR and of other United Nations and relief agencies and call upon all parties to respect their safety.

In this context, I would like to stress the great importance we attach to the unhindered rotation of UNPROFOR contingents in Srebrenica and elsewhere and to the opening of the Tuzla airport exclusively for humanitarian purposes.

Following the recent encouraging developments which, according to the reports of the Co-Chairmen, Lord Owen and Mr. Stoltenberg, have taken place in relation to the demilitarization of Sarajevo, my Government has expressed reservations with regard to the advisability and the repercussions of eventual air strikes and the ensuing escalation of the conflict in Bosnia and Herzegovina. We have made the point that we should not lose sight of our ultimate goal, which is the restoration of peace in former Yugoslavia, and that we must evaluate very carefully the consequences of such air strikes, such as a possible all-out war and its spillover effects.

Greece is one of the countries that are closest to the crisis area. For this reason, all our initiatives are geared towards the exhaustion of all possible peaceful means, rather than the resort to force. In short, my country is fully cognizant of the responsibilities we all have in regard to facing the present situation. At the same time, we are also conscious of the great responsibilities we all bear for the results of any hasty decision.

(Mr. Exarchos, Greece)

We cannot become involved in military activities, and it is our view that no other country in the region should do so.

In concluding, I should like to reiterate our firm determination to continue our efforts to help the parties find a solution to the conflict which will pave the way towards peace and stability in the area.

The PRESIDENT: I thank the representative of Greece for his kind words addressed to me.

The next speaker is the representative of Kuwait. I invite him to take a place at the Council table and to make his statement.

Mr. ABULHASAN (Kuwait) (interpretation from Arabic): At the outset, I should like to congratulate my Muslim brothers on this occasion of the month of Ramadan.

I should also like to congratulate you, Sir, on your assumption of the presidency of the Security Council for this month. You represent Djibouti, our Arab sister State, which we are proud to call a fellow member of the Arab world and with which my country maintains close ties. You have demonstrated skill and statesmanship during your presidency.

While my Government welcomes the decision of the North Atlantic Treaty Organization (NATO) to give an ultimatum to the Serb aggressors to withdraw their heavy weapons from the vicinity of Sarajevo, Kuwait believes that this ultimatum came very late. It came as a response to the request of the Secretary-General. under paragraphs 9 and 10 of Security Council resolution 836 (1993), for NATO member States to make urgent preparations to use air power to forestall further attacks against civilians.

Since the establishment of the Republic of Bosnia and Herzegovina and its later admission to the United Nations, in

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May 1992, it has been the target of one massacre after another. The most recent massacre in the Sarajevo central market, despite its brutality, should not divert our attention from othermassacres, such as the recent killing of six innocent children while they were playing in a Sarajevo street.

Kuwait, while condemning and censuring these Serbian brutalities, calls upon the Security Council to take a firm position and to act effectively to rescue the people of Bosnia and Herzegovina by implementing all its relevant resolutions, especially resolutions 824 (1993) and 836 (1993). The Council is also duty-bound to bring to justice all the perpetrators of those massacres. The credibility of the Security Council is today more than ever before genuinely at stake, and the Council should therefore fulfil its true mandate as envisaged in the Charter.

We appreciate the response of NATO and its member States to the request of the Secretary-General of the United Nations, and the decisions taken by NATO on 9 February 1994, including the decision on an ultimatum of 10 days for the Serb forces to withdraw their heavy weaponry from the vicinity of the city of Sarajevo. We view these recent decisions by NATO as a serious ultimatum to the Serb forces, designed to put an end to their aggression and to confirm that negotiations are the only avenue that can lead to a peaceful and just settlement.

It has become quite clear that the Serb aggressors understand no language but that of force. My country wishes therefore to emphasize the following points.

First, NATO should be firm and demonstrate resolve in implementing its ultimatum to the Serb aggressors. Indeed, the ultimatum should be expanded to cover all the territories of the

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Republic of Bosnia and Herzegovina. Otherwise, the Serb forces will very likely use the heavy weaponry withdrawn from the Sarajevo area in other areas in Bosnia and Herzegovina.

Secondly, the Government of the Republic of Bosnia and Herzegovina should be exempted, as the victim of aggression, from the military embargo imposed on the former Yugoslavia under Security Council resolution 713 (1991). Such an exemption would enable the Government of Bosnia and Herzegovina to exercise its right to self-defence under Article 51 of the United Nations Charter. It does not stand to reason that a people which is a victim of genocide should continue to suffer from an arms embargo while the arrogant aggressors continue to receive reinforcements.

My country supported the decisions and recommendations of the London Conference, and we have encouraged the holding of negotiations for a settlement of the problem in Bosnia and Herzegovina. The Government and people of Kuwait stands on the side of Bosnia and Herzegovina as a result of principles anchored in justice and international law. We have given all possible assistance to the people of Bosnia and Herzegovina. Our position does not emanate from religious bigotry or religious affinity. Rather, it is the same one adopted by Kuwait when it was a victim of Iraqi aggression - and the support we demand is the same we expected from the international community.

Political negotiations in Geneva have clearly reached an impasse. The Council is duty-bound to fulfil its obligation to revive those negotiations by moving them to New York, where they will be under its direct supervision. We stand at a dangerous and historical crossroads. Either the Serb forces will continue their

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aggression, thus defying the international community - an outcome we reject totally - or the Security Council will fulfil its responsibilities and put an end to this brutal massacre.

(Mr. Abulhasan, Kuwait)

Thus the Council should directly supervise the political negotiations in order to find a permanent and just solution to this crisis.

The Secretary-General indicated in his recent report, submitted to the Security Council on 29 December 1993, that there was agreement between the three parties to organize Bosnia and Herzegovina into a confederation made up of three republics. He also indicated that there was agreement that the republic with a Muslim majority would get 33.3 per cent of the territory; the Croats would have 17.5 per cent of the territory; and the Serbs would have about half of the territory of the republic.

In fact, the proposed status for Muslims under the partition plan involves serious potential dangers on the international level, given the following considerations. First, this would mean that the Security Council would abandon the idea of implementing its previous resolutions under Chapter VII of the Charter; secondly, the situation of the Muslims in the safe areas would be tantamount to being in sporadic and disconnected concentration camps, thus bringing a virtual end to the Islamic entity within that State; and, thirdly, acceptance of the partition on the basis of the status quo would mean consolidation of the outcome of aggression and the principle of the acquisition of territory by force. That principle is rejected under the Charter of the United Nations and is rejected by the international community.

Therefore, Kuwait believes that the Security Council should determine in specific terms the actions to be taken for settlement. We must bear in mind that no settlement will be viable as long as an aggressor party has imposed its will by force and there is on the other side a victim of the aggression.

(Mr. Abulhasan, Kuwait)

We call upon the international community to insist on meeting the territorial demands of the State of Bosnia and Herzegovina, especially in terms of giving it access to the sea, so that the viable requirements of statehood would be met and so that the proposed accord would not be a reason for wars and conflicts in the future.

My delegation fervently hopes that the future of Bosnia and Herzegovina will be bright, as that country is a State Member of this world Organization. Such a future will not be possible unless the United Nations addresses the situation in Bosnia and Herzegovina on the basis of the tenets and underpinnings of the new world order. We notice that the credibility of this new world order is being tested today, when the United Nations is involved in peacemaking instead of crisis management and peace-keeping, which is the role that would promote the rule of international law and the consolidation of the principles of justice throughout the world.

In closing, I should like to take this opportunity to salute the people and Government of Bosnia and Herzegovina. We pray to Allah, the Lord of the Universe, to put an end to the injustices and aggression from which they are suffering during this very month of Ramadan. At this moment, we are inspired by the words of Allah in the Holy Koran:

"If God helps you, none can overcome you" (The Holy Koran, III:160).

May Allah bring upon you peace, mercy and blessings.

The PRESIDENT: I thank the representative of Kuwait for the kind words he addressed to me.

The next speaker is the representative of Estonia. I invite him to take a place at the Council table and to make his statement.

Mr. JAAKSON (Estonia): Allow me to congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of February.

Estonia is pleased to note that the united efforts of the western Powers to achieve a breakthrough in the Bosnian conflict are yielding their first results. The ultimatum issued by the Council of the North Atlantic Treaty Organization (NATO) on 9 February gives hope for the disarmament of Sarajevo and lasting enforcement of the cease-fire, which is a precondition for a political settlement of the crisis. This proves that resolute international action in today's situation is the only possible way to deal with a conflict that has lasted for 22 months.

The deterioration of the military, political and humanitarian conditions in Bosnia and Herzegovina has been followed in Estonia with deep concern. Estonia highly appreciates the efforts of the peace mediators of the United Nations and the European Union in trying to settle the Bosnian crisis by way of negotiations between the parties, and it expresses regret that these have not so far led to a just and peaceful solution to the conflict. The worrisome aspect is the fact that at the present moment a just and peaceful solution of the conflict seems more remote than only a few months ago, and that the parties to the conflict have expressed their willingness to achieve a solution by military means and continue the armed fight, which would threaten to widen the conflict and prolong the suffering of the population. It also creates anxiety because of the activities of those forces in Russia who openly

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support the Serbian aggression in Bosnia, thereby endangering international efforts to achieve peace.

If the conflict in Bosnia continued, a situation might arise in which it would not be possible to deliver humanitarian relief and the peace-keeping forces could not fulfil their duties. The threat of stopping humanitarian relief and withdrawing of peace-keeping forces should not be used as a means of pressure to force the Government of Bosnia and Herzegovina to agree to the conditions of a peace treaty.

Estonia condemns the shelling of Sarajevo and other Bosnian cities, for which the larger part of the responsibility falls on the Serbs. Lifting the economic sanctions against Serbia and Montenegro should not be considered before the conclusion of a Bosnian peace treaty.

It is the position of Estonia that a just solution to the Bosnian conflict should be based on the principles adopted at the London Conference and should guarantee territorial integrity, political independence and State sovereignty.

The crisis in the territory of the former Yugoslavia has shown that post-cold-war Europe must learn to take responsibility and assert its courage to become involved in local conflicts, because Bosnia and Herzegovina is not the only area in Europe in which over-emphasized ethnic differences are used as a pretext for armed intervention with geopolitical purposes.

Estonia has supported those United Nations resolution efforts which will lead to the end of the arms embargo against Bosnia and Herzegovina, because the situation in which the representatives of the Government of Bosnia and Herzegovina refuse to agree to the plan for the territorial division of their country was caused by

(Mr. Jaakson, Estonia)

the fact that Bosnia and Herzegovina, a State Member of the United Nations, has been left without the possibility of defending its territory against aggression, in accordance with Chapter VII, Article 51, of the Charter of the United Nations. At the same time, the United Nations has repeatedly shown a lack of unity and political will to resolutely involve itself in the interests of a State left without the right of self-defence.

(Mr. Jaakson, Estonia)

A decisive international involvement in achieving a just solution to the Bosnian crisis would prove that there is a force in Europe which is able to stand up for the defence of States that have fallen victim to aggression. The perception should not be allowed to develop that the principles contained in documents of the Conference on Security and Cooperation in Europe (CSCE) and the Charter of the United Nations are not applicable to the newly independent States that have arisen as a result of the collapse of the Communist empires.

That having been said, Estonia supports the decisions made by NATO on 9 August 1993 and 9 February 1994, and the declarations made on 10 February and 11 February 1994 at a summit conference in Brussels; which supported the use of retaliatory air power in Sarajevo, as specified in United Nations Security Council resolution 824 (1993), which, along with Security Council resolution 836 (1993), calls for the protection of people living in Bosnia and for support of the United Nations peace-keeping activities and humanitarian assistance.

The PRESIDENT: I thank the representative of Estonia for his kind words addressed to me.

The next speaker is the representative of Brunei Darussalam. I invite him to take a place at the Council table and to make his statement.

Mr. ABDUL MOMIN (Brunei Darussalam): Allow me, on behalf of my delegation, to congratulate you, Sir, on your assumption of the presidency of the Security Council for this month. I should also like to thank all the members of the Council for giving me the opportunity to take part in this open debate.

(Mr. Abdul Momin, Brunei Darussalam)

Many aspects of the conflict in Bosnia and Herzegovina have been discussed among the members of this Council, in the General Assembly and at other international forums. It is distressing that we should have to discuss the tragedy yet again, following last week's horrifying attack on innocent civilians in Sarajevo. We share in the sorrow of the people of Bosnia and Herzegovina and offer our condolences and profound sympathy. We also understand the indignation felt by the people of Bosnia and Herzegovina, which has been shared by the world community.

Several resolutions directed at resolving the conflict in the former Yugoslavia have been adopted by the Security Council. They have not, however, put a stop to the various crimes committed against the people of Bosnia and Herzegovina. In fact, they have been followed by yet more acts of violence. We believe that the senseless killing of innocent civilians has gone on far too long. Strong action by the international community is long overdue.

We expect to see the North Atlantic Treaty Organization (NATO) act in accordance with its recent ultimatum. The international community needs to demonstrate now that it will not continue to stand by while acts of atrocious inhumanity take place in Bosnia and Herzegovina. For us, action by NATO would offer a clear indication that the international community is determined to implement the various United Nations resolutions.

Brunei Darussalam looks forward to the day when peace and stability are restored to a sovereign and independent Bosnia and Herzegovina. In pursuit of this end, the international community must now be prepared to act decisively and put an end to the violence and cruelty we have seen for the past two years.

The PRESIDENT: I thank the representative of Brunei Darussalam for his kind words addressed to me.

The next speaker is His Excellency Mr. Ahmet Engin Ansay, Permanent Observer of the Organization of the Islamic Conference to the United Nations, to whom the Council has extended an invitation under rule 39 of its provisional rules of procedure. I invite him to take a place at the Council table and to make his statement.

Mr. ANSAY: At the outset, I should like to extend to you, Sir, my warmest congratulations on your assumption of the presidency of the Security Council during this difficult period. I am confident, and privileged to know, that your vast experience and professional skills will serve you well in advancing the work of the Council under your able guidance.

I should like to take this opportunity to thank your predecessor, the Permanent Representative of the Czech Republic, Ambassador Kovanda, for his able performance in steering the work of the Council during the month of January.

On 5 February, another dark, tragic day for the people of Bosnia and Herzegovina, the world saw 68 innocent people murdered and 197 injured during the shelling of the market-place of Sarajevo, the capital city of a fully-fledged, sovereign Member of the United Nations. This latest terrorist act of genocide, which was committed in cold blood by the Serbian gunners surrounding the city, has brought the people of Bosnia and Herzegovina to a point of such desperation that they feel as if they are all condemned to death.

The Governments and the peoples of the Member States of the Organization of the Islamic Conference (OIC) express their heartfelt anguish, condolences and sympathy to the Government and the people of Bosnia and Herzegovina and the bereaved families,

(Mr. Ansay)

while condemning this heinous crime in the strongest possible terms.

In his statement regarding this tragedy, the Secretary-General of the OIC, His Excellency Mr. Algabid, in his statement regarding this tragedy, strongly condemned this murderous act by the Serbian gunners, which is in open defiance of the relevant Security Council resolutions and in outrageous disregard for all norms of humanity and civility.

Only two days before this crime was committed, two Heads of Government from OIC Members States - two lady Prime Ministers, Mrs. Bhutto from Pakistan and Mrs. Ciller from Turkey - had courageously visited Sarajevo to demonstrate their solidarity with the innocent Bosnian victims and had called upon the international community to finally do something to preserve the sovereignty, unity, territorial integrity and political independence of Bosnia and to reverse the consequences of "ethnic cleansing".

The Organization of the Islamic Conference is deeply concerned, frustrated and angered over the situation in Bosnia and Herzegovina. In an extraordinary Ministerial Meeting of the OIC Contact Group on Bosnia and Herzegovina held in Geneva on 17 January last, the OIC Ministers stressed that if the peace process is to have any success and legitimacy, it must ensure the following: the independence, territorial integrity, sovereignty and unity of the Republic of Bosnia and Herzegovina; a geographically and economically viable and defensible territory for the Republic of Bosnia and Herzegovina; that the Serbs be compelled to return all lands seized by the use of force and "ethnic cleansing"; that the Republic of Bosnia and Herzegovina retain its sovereign exit to the Sava River and the Adriatic Sea; that

(Mr. Ansay)

Sarajevo remain the undivided capital of Bosnia, as a symbol of unity, tolerance and integration; the return of refugees and displaced persons to their homes; and international guarantees for the implementation of a peace agreement and guarantees for future security.

(Mr. Ansay)

The OIC Ministers also called for the reopening of Tuzla airport, without further delay, for humanitarian assistance. They also demanded that the strangulation and siege of the city of Sarajevo should be lifted, and that hostilities and shelling should be stopped immediately.

Furthermore, they noted the recent North Atlantic Treaty Organization (NATO) Summit's reiteration of NATO's commitment to use air strikes against Serb positions in Bosnia and Herzegovina, and urged that this decision be carried out rapidly, as already authorized by the Security Council.

For two years, many, many appeals regarding Bosnia were made by members of my organization and by several other countries and bodies before this Council, the General Assembly and other international forums. Finally, a light has appeared at the end of a long, dark tunnel. We welcome the decision taken by the Council of the North Atlantic Treaty Organization on 9 February giving an ultimatum to the Serbs to lift the siege of Sarajevo and to remove their heavy weaponry from the Sarajevo exclusion zone of 20 kilometres or face punitive air strikes by 20 February. We see this decision of the NATO Council, taken at the request of the United Nations Secretary-General - however belated it may be - as a step in the right direction.

If our appeals had been answered earlier, and if a decision had been taken, say, 18 months ago, many Members would have been able to avoid shame and would have been able to escape the future condemnation of history.

Now, NATO member States have a great responsibility to ensure that all the provisions of the NATO ultimatum and the relevant Security Council resolutions concerning "safe areas" are met by the

(Mr. Ansay)

Serbian side. We hope that, unlike in the case of previous threats, this decision will be fully and thoroughly implemented, and with great speed.

For a very long time now, Serbian forces have prevented the United Nations Protection Force (UNPROFOR) from opening Tuzla airport for humanitarian operations. Bihac is also reported to have been under Serbian attack for the last few days. The international community must also pay equal attention to the security of the civilian population in all "safe areas" and in other threatened towns and cities in Bosnia and Herzegovina.

In this regard, we fully support the concept of declaring the city of Mostar a United Nations protected "safe area".

The OIC also believes that, for the sake of international justice and the prevention of more acts of genocide and other crimes against humanity, the International War Crimes Tribunal, established to judge crimes perpetrated on the territory of the former Federal Republic of Yugoslavia should start functioning without any further delay.

On this occasion, I should like to reiterate the OIC's full support for the right of the Republic of Bosnia and Herzegovina to defend itself under Article 51 of the United Nations Charter, and, in this regard, once again call for the lifting of the arms embargo against the Republic of Bosnia and Herzegovina.

The need to allow the Bosnian Government to defend itself has become all the more urgent given recent reports of the presence of regular troops of the Serbian and Croatian armies in Bosnia and Herzegovina. Serbia and Montenegro, and the Republic of Croatia, have also been violating the arms embargo by supplying arms and equipment to their surrogates in Bosnia and Herzegovina.

(Mr. Ansay)

We await with keen interest the report by the Secretary-General regarding the full withdrawal of Croatian army elements and their military equipment from Bosnia. If the Croats fail to comply with this demand by the Security Council, stringent economic sanctions should immediately be imposed on Croatia too.

In conclusion, the Organization of the Islamic Conference reaffirms its strong and unswerving support for the just struggle of the Bosnian people against aggression, genocide and ethnic/religious cleansing. The OIC fully endorses the constructive Bosnian position on the principles for a peaceful settlement to the conflict.

Unless all parties concerned take cognizance of the legitimate demands of the Bosnian people, peace will remain elusive in the entire Balkan region; thus, the security of that area, as well as that of the world at large, will be in jeopardy.

The PRESIDENT: I thank Mr. Ansay for his kind words addressed to me.

The next speaker is the representative of Lithuania. I invite him to take a place at the Council table and to make his statement now.

Mr. SIMUTIS (Lithuania): Mr. President, allow me to congratulate you on your assumption of the presidency of the Security Council for the month of February. I wish you every success in presiding over deliberations concerning extremely difficult and important issues. I also wish to congratulate your predecessor, Ambassador Karel Kovanda, on his successful presidency of the Council, conducted in his elegant manner, during the preceding month.

(Mr. Simutis, Lithuania)

Please allow me, Mr. President, to express my appreciation for this opportunity to address the Security Council, which is entrusted by the Member States of the United Nations with the primary task of maintaining peace and security in our turbulent world.

The Government and people of Lithuania are appalled by the protracted aggression against Bosnia and Herzegovina and by the arrogance of the aggressor forces in flaunting their disregard for international humanitarian law and customary rules of war. Lithuania's parliament, the Seimas, has condemned the act of terrorism committed in Sarajevo on 5 February 1994 in which many civilian residents of the capital city of Bosnia and Herzegovina were killed. The Seimas has appealed to the parliaments of Serbia, Bosnia and Herzegovina, and Croatia to do everything in their power to end the slaughter of innocent people. It has declared its support for the efforts of the United Nations, the North Atlantic Treaty Organization, the Conference on Security and Cooperation in Europe and other international organizations directed at resolving the tragic and dangerous conflict in Bosnia and Herzegovina.

The Government of Lithuania welcomes the demand by the North Atlantic Treaty Organization directed at the aggressor forces that they cease shelling Sarajevo and withdraw or hand over their heavy weapons to United Nations forces. This is not an extreme demand. In fact, it is a long overdue step to enforce Security Council resolutions 824 (1993) and 836 (1993) on safe areas, of which the city of Sarajevo is one.

The stakes, however, are high for the entire international community. Failure to enforce the cessation of the indiscriminate shelling of Sarajevo would send a dismaying signal that the

(Mr. Simutis, Lithuania)

international community is prepared to tolerate and accept aggression, as well as systematic violations of international humanitarian law. The Security Council can hardly afford one more failure to enforce its decisions, as this would result in a disastrous loss of credibility for the United Nations, as well as for the North Atlantic Treaty Organization.

The PRESIDENT: I thank the representative of Lithuania for the kind words he addressed to me.

The representative of Bosnia and Herzegovina wishes to make a statement, and I call upon him now.

Mr. SACIRBEY (Bosnia and Herzegovina): I have asked to speak in reply to the statement made by Ambassador Djokić. I have no option but to refer to him as Ambassador Djokić, since that is the way the Security Council refers to him.

Before I continue my comments, I would be most unkind to the members of this body and to all the other speakers who participated in this debate if I did not thank them for their time and effort and for their contributions.

Ambassador Djokić appeared before the Security Council under doubtful circumstances, especially in view of his country's aggression against its neighbours and its unapologetic complicity in the design of a "Greater Serbia", in terrorism, and in "ethnic cleansing". The terms of General Assembly resolutions 47/1 and 48/88 bring into greater doubt the legitimacy of his appearance before the Council.

None the less, Ambassador Djokić was afforded this opportunity, and, unfortunately, the opportunity has once again been abused.

First, Ambassador Djokić chose to allude to my country, a fully recognized Member of the United Nations, as the "former Bosnia and Herzegovina" (supra, p. 212). His choice of words is not just intended to be a slight, but is designed to contribute directly to the acts of aggression and genocide against our Republic. Serbia and Montenegro has attempted to use this Chamber and this most noble body to propound the view that our Republic is no longer - as a consequence of Serbia and Montenegro's criminal

(Mr. Sacirbey, Bosnia and Herzegovina)

military aggression against our country. They seek to complete in this Chamber what they have not as yet managed on the battlefield.

Secondly, Ambassador Djokić pleads for no new action to confront the aggression. We must remind everyone that it is Serbia and Montenegro that has for so long had a free hand in Bosnia and Herzegovina in its campaign of genocide and "ethnic cleansing". It is Serbia and Montenegro that now pleads for the forces of the North Atlantic Treaty Organization (NATO) to stay out, while it rejects the calls of the international community to station monitors at the international boundary between the Republic of Bosnia and Herzegovina and Serbia and Montenegro. This amounts to a burglar demanding that the police stay out of the home that is being burglarized.

Thirdly, Mr. Djokić chooses to conceal or ignore the well-substantiated record of his country and its surrogates and their responsibility for war crimes against our civilian population, and deflects his nation's criminal responsibility by accusing the victim of self-infliction. Whatever the difficulties that the United Nations Protection Force (UNPROFOR) may have in conclusively allocating blame in this instance, there is no practical doubt with respect to the market-place massacre - and UNPROFOR has certainly had no difficulty in placing conclusive responsibility in dozens of other terrorist incidents.

It is clear that it is Serbian forces and weapons that have maintained the siege and the suffering of the civilian population of Sarajevo. We are now to believe, according to Ambassador Djokić, that while the citizens of Sarajevo are encircled and shelled by the Serbian forces, we have not had quite

(Mr. Sacirbey, Bosnia and Herzegovina)

enough of this suffering: so now we Bosnians also shell ourselves for good measure.

The PRESIDENT: There are no further names on the list of speakers. The Security Council has thus concluded the present stage of its consideration of the item on the agenda. The Security Council will remain seized of the matter.

The meeting rose at 5.15 p.m.